

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2006-25157; Directorate Identifier 2006-CE-34-AD; Amendment 39-14814; AD 2006-23-02]

RIN 2120-AA64

Airworthiness Directives; Raytheon Aircraft Company Models C90A, B200, B200C, B300, and B300C Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This document makes a correction to Airworthiness Directive (AD) 2006-23-02, which was published in the Federal Register on November 8, 2006 (71 FR 65390), and applies to certain Raytheon Aircraft Company (RAC) (formerly Beech) Models C90A, B200, B200C, B300, and B300C airplanes. AD 2006-23-02 requires you to inspect the flight controls for improper assembly or damage, and if any improperly assembled or damaged flight controls are found, take corrective action. We proposed in the notice of proposed rulemaking (NPRM) "unless already done" credit if the actions were already accomplished. However, we inadvertently left that language out of paragraph (e) of AD 2006-23-02. This document corrects that paragraph by inserting the phrase "unless already done."

DATES: The effective date of this AD (2006-23-02) remains December 13, 2006.

FOR FURTHER INFORMATION CONTACT: Chris B. Morgan, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Wichita, Kansas 67209; telephone: (316) 946-4154; facsimile: (316) 946-4107.

SUPPLEMENTARY INFORMATION:

Discussion

On October 26, 2006, the FAA issued AD 2006-23-02, Amendment 39-14814 (71 FR 65390, November 8, 2006), which applies to certain RAC Models C90A, B200, B200C, B300, and B300C airplanes. AD 2006-23-02 requires you to inspect the flight controls for improper assembly or

damage, and if any improperly assembled or damaged flight controls are found, take corrective action. We proposed in the NPRM "unless already done" credit if the actions were already accomplished. However, we inadvertently left that language out of paragraph (e) of AD 2006-23-02.

Need for the Correction

This correction is needed to allow credit for already completed actions required by this AD. This document corrects that paragraph by inserting the phrase "unless already done" in paragraph (e) of AD 2006-23-02 as was proposed in the NPRM.

Correction of Publication

Accordingly, the publication of November 8, 2006 (71 FR 65390), of Amendment 39-14814; AD 2006-23-02, which was the subject of FR Doc. E6-18727, is corrected as follows:

Section 39.13 [Corrected]

On page 65391, in section 39.13 [Amended], in paragraph (e), change the text to read: "To address this problem, you must do the following, unless already done:"

Action is taken herein to correct this reference in AD 2006-23-02 and to add this AD correction to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

The effective date remains December 13, 2006.

Issued in Kansas City, Missouri, on December 12, 2006.

Kim Smith,
Manager, Small Airplane Directorate, Aircraft Certification Service.
[FR Doc. E6-21748 Filed 12-20-06; 8:45 am]

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14 CFR Part 39

[Docket No. FAA-2006-25157; Directorate Identifier 2006-CE-34-AD; Amendment 39-14814; AD 2006-23-02]

RIN 2120-AA64

Airworthiness Directives; Raytheon Aircraft Company Models C90A, B200, B200C, B300, and B300C Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA adopts a new airworthiness directive (AD) for certain Raytheon Aircraft Company (RAC) (formerly Beech) Models C90A, B200, B200C, B300, and B300C airplanes. This AD requires you to inspect the flight controls for improper assembly or damage, and if any improperly assembled or damaged flight controls are found, take corrective action. This AD results from a report of inspections of several affected airplanes with improperly assembled or damaged flight controls. We are issuing this AD to detect and correct improperly assembled or damaged flight controls, which could result in an unsafe condition by reducing capabilities of the flight controls and lead to loss of control of the airplane.

DATES: This AD becomes effective on December 13, 2006.

As of December 13, 2006, the Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation.

ADDRESSES: To get the service information identified in this AD, contact Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140.

To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001 or on the Internet at <http://dms.dot.gov>. The docket number is FAA-2006-25157; Directorate Identifier 2006-CE-34-AD.

FOR FURTHER INFORMATION CONTACT: Chris B. Morgan, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Wichita, Kansas 67209; telephone: (316) 946-4154; facsimile: (316) 946-4107.

SUPPLEMENTARY INFORMATION:

Discussion

On July 24, 2006, we issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain RAC Models C90A, B200, B200C, B300, and B300C airplanes. This proposal was published in the Federal Register as a notice of proposed rulemaking (NPRM) on July 31, 2006 (71 FR 43083). The NPRM proposed to require you to inspect the flight controls for improper assembly or damage, and if any improperly assembled or damaged flight controls are found, take corrective action.

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comments received.

Jack Buster with the Modification and Replacement Parts Association provides comments on the AD process pertaining to how the FAA addresses publishing manufacturer service information as part of a proposed AD action. The commenter states that the proposed rule attempts to require compliance with a public law by reference to a private writing (as referenced in paragraph (e) of the proposed AD). The commenter would like the FAA to incorporate by reference (IBR) the RAC service bulletin.

We agree with Mr. Buster. However, we do not IBR any document in a proposed AD action, instead we IBR the document in the final rule. Since we are issuing the proposal as a final rule AD action, Raytheon Aircraft Company Mandatory Service Bulletin Number SB 27-3761, Issued: February 2006, is incorporated by reference.

Mr. Buster requests IBR documents be made available to the public by publication in the Federal Register or in the Docket Management System (DMS).

We are currently reviewing issues surrounding the posting of service bulletins in the Department of Transportation's DMS as part of the AD docket. Once we have thoroughly examined all aspects of this issue and have made a final determination, we will consider whether our current practice needs to be revised.

Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial corrections. We have determined that these minor corrections:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

Costs of Compliance

We estimate that this AD affects 135 airplanes in the U.S. registry.

We estimate the following costs to do the inspection:

Labor Cost	Parts Cost	Total Cost Per Airplane	Total Cost on U.S. Operators
80 work-hours X \$80 per hour = \$6,400.	Not Applicable.	\$6,400.	\$864,000.

We have no way of determining the number of airplanes that may need any corrective action that would be required based on the results of the inspection.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this AD.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a summary of the costs to comply with this AD (and other information as included in the Regulatory Evaluation) and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under ADDRESSES. Include "Docket No. FAA-2006-25157; Directorate Identifier 2006-CE-34-AD" in your request.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. FAA amends § 39.13 by adding a new AD to read as follows:



CORRECTION: [*Federal Register: December 21, 2006 (Volume 71, Number 245); Page 76575;*
www.access.gpo.gov/su_docs/aces/aces140.html]

2006-23-02 Raytheon Aircraft Company (Formerly Beech): Amendment 39-14814; Docket No. FAA-2006-25157; Directorate Identifier 2006-CE-34-AD.

Effective Date

- (a) This AD becomes effective on December 13, 2006.

Affected ADs

- (b) None.

Applicability

- (c) This AD affects the following airplane models and serial numbers that are certificated in any category:

Model	Serial Numbers
C90A	LJ-1697 through LJ-1726, LJ-1728, LJ-1729, and LJ-1731 through LJ-1739
B200	BB-1827 through BB-1912
B200C	BL-148 and BL-149
B300	FL-379 through FL-423, FL-426, FL-428 through FL-450, and FL-452
B300C	FM-11

Unsafe Condition

- (d) This AD results from a report of inspections of several affected airplanes with improperly assembled or damaged flight controls. We are issuing this AD to detect and correct improperly assembled or damaged flight controls, which could result in an unsafe condition by reducing capabilities of the flight control and lead to loss of control of the airplanes.

Compliance

- (e) To address this problem, you must do the following, unless already done:

Actions	Compliance	Procedures
(1) Inspect the entire flight control system for improper assembly and any damage.	At whichever of the following occurs first: (i) Within 100 hours time-in-service after December 13, 2006 (the effective date of this AD); or (ii) At the next annual inspection that occurs at least 30 days after December 13, 2006 (the effective date of this AD).	Follow Raytheon Aircraft Company Mandatory Service Bulletin Number SB 27-3761, Issued: February 2006.
(2) If you find any improperly assembled or damaged flight controls as a result of the inspection required by paragraph (e)(1) of this AD, take corrective action as specified in the service information.	Before further flight after the inspection required by paragraph (e)(1) of this AD.	Follow Raytheon Aircraft Company Mandatory Service Bulletin Number SB 27-3761, Issued: February 2006.

Alternative Methods of Compliance (AMOCs)

(f) The Manager, Wichita Aircraft Certification Office (ACO), FAA, ATTN: Chris B. Morgan, Aerospace Engineer, FAA, Wichita ACO, 1801 Airport Road, Wichita, Kansas 67209; telephone: (316) 946-4154; facsimile: (316) 946-4107, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

Material Incorporated by Reference

(g) You must use Raytheon Aircraft Company Mandatory Service Bulletin Number SB 27-3761, Issued: February 2006, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

Issued in Kansas City, Missouri, on October 27, 2006.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E6-18727 Filed 11-7-06; 8:45 am]